IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 26TH SEPTEMBER 2007 / 4TH ASWINA 1929

Crl.Rev.Pet.No. 241 of 2006()

CRA.10/2002 of ADDL. SESSIONS COURT, (ADHOC), PALAKKAD
CC.472/2001 of CHIEF JUDICIAL MAGISTRATE COURT, PALAKKAD

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REVN. PETITIONER: APPELLANT/ACCUSED.

P.K.SAYED, S/O.ABOOBAKCER, HOUSE NO.56,
CHANDRA NAGAR, PALAKKAD.

BY ADV. SRI.C.KHALID
SRI.N.GOPINATHA PANICKER
SRI.R.O.MUHAMED SHEMEEM
SRI.T.P.SAJID

RESPONDENTS: COMPLAINANT AND STATE.

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1. ELAPPULLY SERVICE CO-OPERATIVE BANK LTD., NO.F.1193, ELAPPULLY, PALAKKAD DISTRICT, REPRESENTED BY ITS SECRETARY.

2. THE STATE OF KERALA, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.K.S. SIVAKUMAR
SRI.V.CHITAMBARESH
SRI.T.C.SURESH MENON

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 26/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No. 241 of 2006

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Dated: 26th September 2007

ORDER

The accused in C.C. No. 472 of 2001 on th**e file** of the Chief Judl. Magistrate, Palakkad for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. **Crl.M.A.No.9983** has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. Money, if any, deposited by the revision petitioner pursuant to the orders, if any, passed by the lower appellate court shall be refunded to the revision petitioner/accused.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,
(JUDGE)

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